

REMARKS

Claims 5-7 are now in the application after amendment herein. In the outstanding office action claims 5 and 6 were rejected as anticipated by Russell (U.S. 6,490,929). Reconsideration is requested in view of the above amendments and the following remarks.

Claim 5 has been amended to fully distinguish over the Russell reference and the now-claimed subject matter is neither anticipated by nor obvious over any art of record. Specifically, claim 5 (amended) distinguishes the invention by requiring:

“an evaluation signal in the relatively high spectral range, suitable for evaluation”

The Russell reference does not disclose an evaluation signal. Rather, the prior art discloses “a vibration monitor to be worn by an operative...” See col. 1, lines 19-21. Further, as explained at col. 2, lines 26-29, the monitor is designed simply to determine that vibrations are occurring and not to measure the actual level of the vibrations. In contrast, the invention of claim 5 provides a signal suitable for evaluation.

Claim 5 further distinguishes over the Russell reference by requiring an express division of the measurement signal into

“an evaluation signal in the relatively high spectral range ... and into a supply signal in the relatively low spectral range suitable to provide power for operating the circuit ...”

While the Examiner indicates that the Russell reference discloses that an output signal is filtered, and concludes that two signals of different frequencies are disclosed, that disclosure is different from what is now claimed. Applicants now require an express allocation of frequency ranges wherein the evaluation signal is in a relatively high spectral range in which fault-related noise is generated. Such is not taught or suggested by the prior art. Further, applicants require that the supply signal is in a relatively low spectral range in which normal operating noise is generated. None of the prior art suggests deriving power for a supply signal from a different spectral range than a relatively high spectral range used to create an evaluation signal to evaluate fault-related noise. Certainly, the Russell reference does not disclose applicants' two spectral

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ranges nor any evaluation or supply signals which meet the terms of claim 5. For these and other reasons claim 5 is allowable over the art of record.

Claim 6 now more clearly presents the referenced subject matter such that the specified rectifying device is part of the claimed electronic circuit. Claim 7, newly added, is presented to specify that according to one or more embodiments the relatively high spectral range of the first signal overlaps with the relatively low spectral range of the second signal.


Applicants respectfully request allowance of the present application in view of the foregoing amendments.

Conclusion

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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